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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Anthony Sgroi Jr. et al. Confirmation No.: 2713
Serial No.: 10/647,505 Art Unit: 3479
Filed: August 26, 2003 Examiner: Basichas, Alfred
For: MULTI-MODE LIGHTER Attorney Docket No.: 618-1170-999
(CAM No.: 401104-999135)

FEE TRANSMITTAL FOR TERMINAL DISCLAIMER

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450


Sir:

The fee for processing the attached Terminal Disclaimer is believed to be \$130.00, which was previously paid on January 4, 2005. Please credit said fee for the processing of the attached Terminal Disclaimer. Applicants believe that no additional fee is required for this Terminal Disclaimer. However, should the United States Patent and Trademark Office determine that the processing fee of \$130.00, which was previously paid, cannot be credited for the processing of this Terminal Disclaimer, the Commissioner is authorized to charge the processing fee of this Terminal Disclaimer to Jones Day Deposit Account No. 50-3013. A copy of this sheet is attached for accounting purposes.

Respectfully submitted,

Date: June 14, 2005

Brian M. Rothery 35,340
Reg. No.

 50,333
By: Fritz Klantschi Reg. No.

JONES DAY
222 East 41st Street
New York, N.Y. 10017-6702
212-326-3939

Enclosure



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P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Petitioner, Brian M. Rothery, represents that he is one of the attorneys for BIC Corporation, the assignee of the entire right, title and interest in and to the above identified application by virtue of an assignment which was recorded on December 16, 2003 at reel 014821 frame 0873.

BIC Corporation is the assignee of the entire right, title and interest in and to the following U.S. patents and U.S. patent applications by virtue of the following assignments:

1. an assignment for United States Patent No. 6,726,469 ("the '469 Patent"), which was recorded on March 1, 2002, at reel 012680, frame 0451. This assignment is also for U.S. Patent Application No. 10/788,195, ("the '195 Application"), now allowed, which is a divisional of the '469 Patent;
2. an assignment for United States Patent No. 6,491,515 ("the '515 Patent"), which was recorded on December 5, 2000, at reel 011377, frame 0950;
3. an assignment for United States Patent No. 6,488,492 ("the '492 Patent"), which was recorded on June 12, 2001, at reel 011896, frame 0360; and
4. an assignment for United States Patent Application No. 10/389,975 ("the 975 Application"), now allowed, which was recorded on August 14, 2003, at frame 014387, frame 0518.

Petitioner, on behalf of BIC Corporation, hereby disclaims the terminal part of any patent granted on the above identified application which would extend beyond the expiration date of '469 Patent, the '515 Patent, the '492 Patent, the '195 Application and the '975 Application, and hereby agrees that any patent so granted on the above identified application shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to the '469 Patent, the '515 Patent, the '492 Patent, the '195 Application and the '975 Application.

Petitioner, on behalf of BIC Corporation, further agrees that this agreement is to run with any patent granted on the above identified application and is to be binding upon the grantee, its successors, and assigns.

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Petitioner does not disclaim any terminal part of any patent granted on the above-identified application prior to the expiration date of the full statutory term the '469 Patent, the '515 Patent, the '492 Patent, the '195 Application, and the '975 Application in the event that one or all of the '469 Patent, the '515 Patent, the '492 Patent, the '195 Application, and the '975 Application later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. 1.321(a), has all claims canceled by a reexamination certificate, or is otherwise terminated prior to the expiration of its full statutory term, except for the separation of legal title stated above.

Petitioner hereby confirms that he has reviewed the above assignments and, to the best of his knowledge and belief, title is in the assignee seeking to take action in this matter and that he is empowered to act on behalf of BIC Corporation.

Petitioner hereby declares that all statements made herein of his own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Respectfully submitted,

Date: June 14, 2005


Brian M. Rothery

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